

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Civil Action No. 1:17-cv-02989-AT

DONNA CURLING, et al.,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, et al.,

Defendants.

VIDEOTAPED DEPOSITION OF

JANICE W. JOHNSTON, M.D.

DATE: August 23, 2022

TIME: 9:39 a.m. to 11:10 a.m.

LOCATION: Krevolin & Horst, LLC
1201 West Peachtree Street, Northwest
Suite 3250
Atlanta, Georgia 30309

REPORTED BY: Felicia A. Newland, CSR

Veritext Legal Solutions

1250 Eye Street, N.W., Suite 350

Washington, D.C. 20005

C O N T E N T S

EXAMINATION BY: PAGE

Counsel for Curling Plaintiffs 9

Counsel for Coalition Plaintiffs 71

JOHNSTON DEPOSITION EXHIBITS

NO. DESCRIPTION PAGE

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Outstanding Discovery Disputes Per April

5, 2022 Order

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X Ballot Marking Devices, Professor J.

Alex Halderman, Ph.D.

Exhibit 3 Excerpt testimony from Videotaped 16

Videoconference Deposition of Juan

Gilbert, Ph.D., Friday, October 29, 2021

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Vulnerabilities Affecting Dominion

Voting Systems ImageCast X

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1 Exhibit 8 May 7, 2021 Barnes' E-mail chain re: 52

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3 Exhibit 9 Excerpt from the deposition of James A. 56

4 Barnes, Jr., July 20, 2022

5 Exhibit 10 E-mail string, Renewed Letter Petition 61

6 to State Election Board, dated June 6,

7 2022, at 10:50 a.m.

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9 *(Exhibits attached to transcript.)

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P R O C E E D I N G S

* * * * *

VIDEOGRAPHER: Good morning. We are on the video record at 9:39 a.m. on August -- sorry, Tuesday, 23rd of August 2022. This is Media Unit 1 of the video-recorded deposition of Dr. Janice Johnston taken by counsel for Plaintiff in the matter of Donna Curling, et al. versus Brad Raffensperger, et al. filed in the U.S. District Court for the Northern District of Georgia, Atlanta Division. The location of this deposition is Krevolin & Horst in Atlanta, Georgia.

My name is Leo Mileman. I'm from the firm Veritext. I'm the videographer. The court reporter is Felicia Newland from the firm Veritext.

Counsel all present please introduce yourselves, after which the court reporter will swear in the witness.

THE WITNESS: Leo, this is the 23rd.

VIDEOGRAPHER: Oh, thank you.

MS. PORTER: This is Reiley Porter

1 from Morrison & Foerster for the Curling
2 Plaintiffs. And I'm here with Mary Kaiser, also
3 from Morrison & Foerster for the Curling
4 Plaintiffs.

5 MR. SPARKS: Also here for the
6 Curling Plaintiffs is Adam Sparks of Krevolin &
7 Horst. I should note for the record that Halsey
8 Knapp, also of Krevolin & Horst, may be here for
9 part of the deposition.

10 Bruce.

11 MR. BROWN: This Bruce Brown. I am
12 here for the Coalition Plaintiffs.

13 MR. DENTON: Alexander Denton, here
14 in the room, for the State Defendants.

15 MR. TYSON: And Bryan Tyson, via
16 Zoom, also for the State Defendants.

17 MS. EDMONDSON: Anna Edmondson for
18 the State Defendants.

19 MS. HERNANDEZ: Danielle Hernandez
20 for the State Defendants.

21 MR. PICO PRATS: Javier Pico Prats
22 for the State Defendants.

1 MR. JIHADI: Wail Jihadi for the
2 Curling Plaintiffs.

3 MR. JOSEPH: Oluwasegun Joseph for
4 the Curling Plaintiffs.

5 VIDEOGRAPHER: I believe that
6 concludes the counsel of record at today's
7 deposition.

8 * * * * *

9 Whereupon,

10 JANICE W. JOHNSTON, M.D.
11 was called as a witness and, having been first duly
12 sworn, was examined and testified as follows:

13 EXAMINATION BY COUNSEL FOR CURLING PLAINTIFFS

14 BY MS. PORTER:

15 Q Good morning, Dr. Johnston. I'm
16 Reiley Porter. I am counsel on behalf of the
17 Curling Plaintiffs.

18 Would you please state your name for
19 the record?

20 A Janice W. Johnston, M.D.

21 Q And do you understand that you're
22 under oath?

1 ever been asked to be deposed in this case prior to
2 this deposition.

3 MR. DENTON: Which deposition?

4 MS. PORTER: The deposition that we
5 are currently in.

6 THE WITNESS: This is the first
7 deposition that I have been asked -- that I know of
8 that I have been asked to perform.

9 BY MS. PORTER:

10 Q Thank you.

11 MS. PORTER: Adam, will you please
12 produce Tab 1?

13 (Johnston Deposition Exhibit Number 2
14 marked for identification.)

15 MR. SPARKS: I'm handing the witness
16 and her counsel what's been predesignated as Tab 1.

17 BY MS. PORTER:

18 Q Have you ever seen this report
19 before?

20 A I have not.

21 Q Are you aware that Dr. Halderman, who
22 wrote this report, uncovered numerous serious

1 vulnerabilities in Georgia's current election
2 system, and it's detailed in this one-hundred-page
3 report?

4 MR. DENTON: Object to form.

5 THE WITNESS: I have not seen this
6 form.

7 BY MS. PORTER:

8 Q Do you know who Dr. Halderman is?

9 A I know who Dr. Halderman is.

10 Q Have you heard that Dr. Halderman has
11 discovered numerous serious vulnerabilities in
12 Georgia's election system --

13 MR. DENTON: Object to --

14 BY MS. PORTER:

15 Q -- from any source?

16 MR. DENTON: Object to form.

17 THE WITNESS: Would you restate your
18 question?

19 BY MS. PORTER:

20 Q Yes.

21 Have you heard that Dr. Halderman has
22 discovered serious vulnerabilities in Georgia's

CERTIFICATE OF NOTARY PUBLIC

I, FELICIA A. NEWLAND, CSR, the officer before whom the foregoing video-taped deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in stenotype and thereafter reduced to typewriting under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



FELICIA A. NEWLAND, CSR
Notary Public

My commission expires:

September 15, 2024